

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BRANDON SMIENTANA and)
SKYCOIN GLOBAL FOUNDATION LIMITED,)
a Singapore company, and SYMBOLIC)
ANALYTICS INC. a Delaware Corporation)

Plaintiffs,)

v.)

BRADFORD STEPHENS,)
AARON KUNSTMAN,)
HARRISON GEVIRTZ, f/k/a “HaRRo”,)
RYAN EAGLE,)
FAR AHEAD MARKETING, LLC.,)
JOEL WAYNE CUTHRIELL f/k/a “JOEL”,)
MORGEN PECK, CATHERINE BYERLY,)
STEVEN LEONARD, JOSHUA OGLE,)
AMERICAN PUBLISHERS, INC. d/b/a)
CONDÉ NAST, AMERICAN)
PUBLISHERS, INC. d/b/a CONDÉ NAST d/b/a)
THE NEW YORKER MAGAZINE, and)
UNKNOWN INDIVIDUALS AND COMPANIES)

Defendants.)

Case No. 1:22-cv-00708

Honorable Sara L. Ellis

JURY DEMANDED

**PLAINTIFFS’ AMENDED MOTION FOR EXTENSION OF TIME TO EXTEND
BRIEFING SCHEDULE**

NOW COME Plaintiffs, BRANDON SMIENTANA (“Smietana”), SKYCOIN GLOBAL FOUNDATION LIMITED, a Singapore Company, and SYMBOLIC ANALYTICS, INC., a Delaware Corporation (“SA”), by and through their attorneys, The Law Office of Michael C. Goode, respectfully requesting that this Honorable Court grant Plaintiffs’ Amended Motion for Extension of Time to Extend Briefing Schedule, and in support Plaintiffs state as follows:

1. Defendants Ryan Eagle, Bradford Stephens, Catherine Byerly, and Far Ahead Marketing (“FAM”) individually filed respective Motions to Dismiss on October 18, 2022. (Dkt. Nos. 51, 52, 53, 54).
2. The briefing schedule entered by this Court set out Plaintiffs’ responses to the above-mentioned four motions to be filed by December 16, 2022, and the respective Defendants to reply by January 6, 2023.
3. On December 13, 2022, Plaintiffs provided the above-mentioned Defendants, each, with five Requests to Admit and five Interrogatories limited to the issue of jurisdiction, as previously allowed by this Court.
4. The original purpose of the interrogatories and requests to admit were for Plaintiffs to adequately respond to Defendants’ Motions to Dismiss.
5. On December 15, 2022, Plaintiffs filed a Motion for Extension of Time to Extend Briefing Schedules and noticed the motion for December 20, 2022, at 9:45AM or as soon thereafter as this Court deemed fit to hear the presentment of the motion (Dkt. Nos. 63, 64).
6. A new proposed agreed briefing schedule was requested in Plaintiffs’ Motion for Extension of Time (Dkt. No. 63).
7. On December 20, 2022, the parties did not see the presentment of the motion on the Court’s Calendar.
8. As of this date, the parties have not received a new hearing date for the presentment of Plaintiffs’ Motion.

9. Since filing Plaintiff's Motion for Extension of Time, several issues have arisen hindering a timely response by Plaintiffs, including:

- a. Defendant Far Ahead Marketing contending that they are not under an obligation to respond to the interrogatories and requests to admit;
- b. Plaintiffs still awaiting a response from all Defendants regarding what date answers to the issued interrogatories and requests to admit would be provided back to Plaintiffs; and
- c. The severe winter weather conditions causing a family emergency for Plaintiffs' counsel.

10. Since the responses to the Motions to Dismiss are dependent on the answers to the limited interrogatories and requests to admit, Plaintiffs respectfully ask this Honorable Court to:

- a. Set a date in which the issued interrogatories and requests to admit must be submitted back to Plaintiffs;
- b. Set a new briefing schedule for Plaintiffs to adequately respond to the Motions to Dismiss and for Defendants to file their replies; and
- c. Strike Plaintiffs' previous Motion for Extension of Time filed on December 15, 2022 (Dkt. No. 63).

DATED: December 23, 2022

Respectfully submitted,

/s/ Michael Goode
Attorney for Plaintiffs

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